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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10

11 MICHAEL ZELENY,

12 Plaintiff,

13 vs.

14 GAVIN NEWSOM, *et al.*,

15 Defendants.
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Case No. CV 17-7357 JCS

Assigned to:

The Honorable Richard G. Seeborg

Discovery Matters:

The Honorable Thomas S. Hixson

DECLARATION OF COUNSEL

Action Filed: December 28, 2017

Trial Date: TBD
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1 I, David Markevitch, declare:

2 1. I, as counsel at Affeld Grivakes LLP, am counsel of record to plaintiff Michael
3 Zeleny ("Plaintiff") in this matter. I have personal knowledge of the facts below and could
4 testify competently to those facts if called upon to do so. I submit this declaration concurrently
5 with a Joint Letter Brief Regarding Interrogatories Propounded to State of California and
6 Attorney General Xavier Becerra.

7 2. A true copy of Discovery Order entered on June 9, 2020 in this case, ECF No.
8 132, is attached as **Exhibit 1**.

9 3. A true copy of correspondence dated June 10, 2020 from Damion Robinson,
10 counsel for Plaintiff, to John Killeen, counsel for Defendant Attorney General Xavier Becerra, is
11 attached as **Exhibit 2**.

12 4. A true copy of correspondence dated June 26, 2020 from John Killeen, counsel for
13 Defendant Attorney General Xavier Becerra, to Damion Robinson, counsel for Plaintiff, is
14 attached as **Exhibit 3**.

15 5. A true copy of Defendant Attorney General Xavier Becerra's Responses to
16 Plaintiff Michael Zeleny's First Set of Interrogatories is attached as **Exhibit 4**.

17 6. A true copy of Defendant Attorney General Xavier Becerra's Responses to
18 Plaintiff Michael Zeleny's Interrogatories, Set Two is attached as **Exhibit 5**.

19 7. A true copy of Order Granting in Part and Denying in Part Motion to Dismiss
20 entered on April 17, 2018 in this case, ECF No. 37, is attached as **Exhibit 6**.

21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct.

23 Executed on this 26th day of August 2020.

24 s/ David Markevitch

David Markevitch

PROOF OF SERVICE

I hereby certify that on August 26, 2020, I electronically filed the foregoing document using the Court's CM/ECF system. I am informed and believe that the CM/ECF system will send a notice of electronic filing to the interested parties.

Dated: August 26, 2020

s/ David Markevitch
David Markevitch